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Hoffman, Wasson & Gitler, P.C.  
Suite 522  
2361 Jefferson Davis Highway  
Arlington, VA 22202

EXAMINER
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PATEL, HARESH N

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/900,041

Applicant(s)

LINDERMAN, MICHAEL

Examiner

Haresh Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-75 is/are rejected.
- 7) ☒ Claim(s) 1,8,11,31,40,41,49-51,54,55,58,59,69,72,73 and 75 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/11/05, 8/3/05</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

1. Claims 1-75 are presented for examination.

### *Priority*

2. Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged.

The usage of an applet, usage of a nodal model, usage of a network element agent (NEA), usage of a read/write server, usage of encoding steps, usage of building steps, single nodal transaction, usage of translator box, translating of the SOAP packet into the appropriate command for the network element, etc., of the claimed invention are not disclosed in both the provisional applications 60/242,078 and 60/208045; hence, this application does not benefit the effective date as the provisional applications priority dates.

### *Double Patenting*

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1, 11, 19, 26, 31, 41, 49, 56, 69, 72 and 75 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over

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claim 1 of copending Application No. 09/867469. Although the conflicting claims are not identical, they are not patentably distinct from each other because both the applications contain similar steps for communicating between a web browser / an application source located on a first side of a firewall and a network element located on a second side of the firewall and the application 09/90041 is not limited to an application source being a web browser.

However, it would have been obvious to one skilled in the art at the time of the invention that the mentioned application source is web browser, for example, usage of web browser taught by Mein et al., Microsoft Corporation, 6,457,066, block 110 of figure 2.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

### *Specification*

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The present title is not sufficient for proper classification of the claimed subject matter.

The following title is suggested: "Object Oriented Communication among platform independent systems across firewall over Internet using HTTP-SOAP".

### *Drawings*

4. New corrected drawings are required in this application because Figures 1-5 do not show the claimed invention, i.e., an applet to drive a user request, sending said user request to a read/write server, creating a hypertext transfer protocol-simple object access protocol (HTTP-

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SOAP) packet of said user request; building an appropriate nodal model of said user request in said NMA; sending SOAP encoded requests; parsing said SOAP encoded requests received by said NMA in said NEA which encompasses data needed to complete a single nodal transaction; encoding in said NEA, said SOAP packets; translating said SOAP packet into the appropriate command for the network element. Also figures 1 and 2 are incorrect as NMA, RWS, NEA, database are shown within single CPU 2, opposite to the claimed invention which contain transmission of information among different servers (NMA, RWS, NEA, database). Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Information Disclosure Statement***

5. An initialed and dated copy of Applicant's IDS form 1449, paper dated, July 11, 2005 and August 03, 2005 is attached to the instant Office action.

### *Claim Objections*

6. Claims 1, 3, 8, 11, 23, 31, 33, 40, 41, 49-51, 54, 55, 58, 59, 69, 72, 73 and 75 is objected to because of the following informalities:

Claims 1, 11, mention, “said HTTP-SOAP”, “said NMA”, which should be “said HTTP-SOAP packet” and “said NMA server”, respectively.

Claims 3, 23 and 33, mention, “network element discovery network (NED)” which should be “network element discovery server (NED)”.

Claim 8 mentions, “the method in accordance with claim 1 for communicating with a plurality of network elements”, which should be “the method in accordance with claim 1, the application source communicating with a plurality of network elements located on a second side of the firewall”.

Claim 40 mentions, “in accordance with claim 41”, which should be “in accordance with claim 31”.

Claims 31, 41, mentions, “HTTP-SOAP”, “said HTTP-SOAP”, “said NMA”, which should be “HTTP-SOAP packet”, “said HTTP-SOAP packet” and “said NMA server”, respectively.

Claims 50, 51, mention, “the system in accordance with claim 48” which should be “the system in accordance with claim 49”.

Claim 54, mentions, “the system in accordance with claim 12” which should be “the system in accordance with claim 52”.

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Claims 55, mentions, “the system in accordance with claim 47” which should be “the system in accordance with claim 49”.

Claim 58, mentions, “the system in accordance with claim 56 wherein” which should be “the system in accordance with claim 56, wherein”.

Claim 59, mentions, “the system in accordance with claim 57 wherein” which should be “the system in accordance with claim 57, wherein”.

Claims 69 and 75, mention, “said SOAP packet”, which should be “said HTTP-SOAP packet”.

Claims 72 and 73, mention, “the second application”, which should be “the second application source”.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

7. Claims 1, 8, 9, 11, 31, 38, 39, 40, 41, 46, 47, 69, 72 and 75 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 11, 31, 41, recite the limitations, “said SOAP packet”, “the appropriate command”. There is insufficient antecedent basis for this limitation in the claim. Since, multiple “SOAP packets” exist in the claim, it is not clear which “SOAP packet” is referred by the limitations in the claim.

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Claims 8, 38, 46 recite the limitations, "the proper NEA". There is insufficient antecedent basis for this limitation in the claim.

Claims 9, 39, 47 recite the limitations, "the proper network element". There is insufficient antecedent basis for this limitation in the claim.

Claim 40, recites the limitations, "said SOAP packet". There is insufficient antecedent basis for this limitation in the claim. Since, multiple "SOAP packets" exist in the claim, it is not clear which "SOAP packet" is referred by the limitations in the claim.

Claim 69, recites the limitations, "the appropriate command", "said commercial". There is insufficient antecedent basis for this limitation in the claim.

Claim 72, recites the limitations, "the appropriate command". There is insufficient antecedent basis for this limitation in the claim.

Claim 75, recites the limitations, "said user device", "the appropriate command. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 2, 6, 11, 12, 14, 31, 32, 36, 41, 42 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mein et al., 6,457,066, Microsoft (Hereinafter Mein-Microsoft) in



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view of Oberstein et. al. U.S. Publication 2002/0010803, Jan 24, 2002 (Hereafter Oberstein) and “Official Notice”.

10. As per claims 1, 11, 31, 41, Mein-Microsoft discloses a method for communicating between an application source (e.g., block 110, figure 2) located on a first side of a firewall (e.g., col., 3, lines 3 – 22) and a network element (e.g., col., 5, lines 1 – 12) located on a second side of the firewall (e.g., col., 3, lines 3 – 22), comprising the steps of:

providing the application source (e.g., block 110, figure 2) with an application to drive a user request (e.g., col., 4, lines 61 – 65), said application provided by a first device (e.g., col., 6, lines 7 – 22) included on the first side of the firewall (e.g., col., 3, lines 3 – 22);

sending said user request (e.g., col., 4, lines 61 – 65) to a server device (e.g., col., 5, lines 1 – 12) provided on the second side of the firewall (e.g., col., 3, lines 3 – 22);

creating a hypertext transfer protocol-simple object access protocol (HTTP-SOAP) packet (e.g., col., 5, lines 13 – 26) of said user request;

transmitting said HTTP-SOAP to a third server provided on the second side the application firewall (e.g., col., 4, lines 37 – 44, col., 5, lines 2 – 12);

building an appropriate model said user request (e.g., col., 6, lines 26 – 34);

sending SOAP encoded requests (e.g., col., 7, lines 9 – 26) to a software provided on the second side of the firewall (e.g., col., 7, lines 9 – 26);

parsing said SOAP encoded requests (e.g., col., 7, lines 9 – 26) received by said software which encompasses data needed (e.g., col., 8, lines 2 – 10) to complete a request and response (e.g., col., 7, lines 33 – 39);

encoding in said software, said SOAP packets (e.g., col., 7, lines 9 – 26).

However, Mein-Microsoft does not specifically mention about usage of translator.

Oberstein discloses the concept of transmitting said SOAP packets to a translator box (e.g., paragraphs 32, 38 and 39), said translator box located on the second side of the firewall (e.g., paragraph 29);

translating said SOAP packet into the appropriate event (e.g., paragraphs 32, 38 and 39);  
and

transmitting said event (e.g., paragraph 32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mein-Microsoft with the teachings of Oberstein in order to facilitate transmitting the SOAP packets to a translator box located on the second side of the firewall, translating said SOAP packet into the appropriate event and transmitting said event because the translator box would enhance converting transmitted SOAP packets information into necessary protocol information. The event related information from the SOAP packets would be used for carrying out necessary task.

Mein-Microsoft and Oberstein do not specifically mention about usage of the first device being a web server, the server device being a read/write server, the third server being network management application (NMA) server which can send requests to an agent, an applet as the application, usage of nodal model, single nodal transaction, and the event being command.

“Official Notice” is taken that both the concept and advantages of usage of the first device being a web server, the server device being a read/write server, the third server being network management application (NMA) server which can send requests to an agent, an applet as the application, usage of nodal model, single nodal transaction, and the event being command

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is well known and expected in the art. For example, Glitho discloses the concept of using nodal model, e.g., col., 3, lines, 21 – 28, col., 4, lines 6 – 16, col., 5, lines 27 – 32. Hite et al., 2003/0036917, Feb., 20, 2003 discloses usage of single nodal transaction, e.g., paragraph 17. Chang et al., 6,483,841, discloses usage of read/write server, col., 1, lines 15 – 24. Kekic et al., Fujitsu, 5,999,179, discloses usage of the third server being network management application (NMA) server which can send requests to an agent, col., 5, lines 49-60, col., 9, lines 54 – 65. Houben et al., 2002/0147745, Oct., 10, 2002, discloses the event being command, e.g., paragraphs 200, 21. Rajarajan et al., U.S. Publication, 2002/0149601 discloses the concept of using an applet as the application, e.g., paragraph 128. Arteaga et al., 2002/0161826, Oct., 31, 2002, discloses the first device being a web server.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include usage of the first device being a web server, the server device being a read/write server, the third server being network management application (NMA) server which can send requests to an agent, usage of nodal model, an applet as the application, single nodal transaction, and the event being command with the teachings of Mein-Microsoft and Oberstein in order to facilitate usage of an applet, web server, read/write server, network management application server, nodal model, single transaction and the command because the usage of an applet, web server, read/write server, network management application server, nodal model, single transaction and the command because all these would enhance communicating between one element located on a first side of a firewall and second element located on a second side of the firewall. The applet would support providing the command. The web server, read/write

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server and network management application server would help support processing the command.

The nodal model and single transaction would enhance handling the command information.

11. As per claims 2, 12, 32, 42, Mein-Microsoft and Oberstein disclose the claimed limitations as rejected above. Mein-Microsoft also discloses providing said device / web browser at a localized location with respect to the application source / the web browser (e.g., figure 2).

12. As per claims 6, 14, 36, 44, Mein-Microsoft and Oberstein disclose the claimed limitations as rejected above. Mein-Microsoft also discloses transmitting user request to a database for storage (e.g., col., 5, lines 2 - 12).

13. Claims 3, 4, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mein-Microsoft, Oberstein and "Official Notice" in view of Forth et al., 2004/0122833 (Hereinafter Forth).

14. As per claims 3, 4, 33, 34, Mein-Microsoft and Oberstein disclose the claimed limitations as rejected above. However, Mein-Microsoft and Oberstein do not specifically mention about handling of network element configuration data comprising port and card information.

Forth discloses the handling of network element configuration data comprising port and card information (e.g., paragraphs 58 and 59).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mein-Microsoft and Oberstein with the teachings of Forth in order to facilitate handling of network element configuration data comprising port and card information because the configuration data would support configuring the network element. The port and card information would provide information on which port and card needs to be configured.

Mein-Microsoft, Oberstein and Forth do not specifically mention about handling of slot and shelf information.

“Official Notice” is taken that both the concept and advantages of handling of slot and shelf information is well known and expected in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include handling of slot and shelf information with the teachings of Mein-Microsoft, Oberstein and Forth in order to facilitate usage of slot and shelf information because the slot and shelf information would provide information on which slot and shelf needs to be configured.

15. Claims 5, 7, 13, 15, 35, 37, 43 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mein-Microsoft, Oberstein and “Official Notice” in view of Lee, 2002/0147746, Oct. 10, 2002 (Hereinafter Lee).

16. As per claims 5, 13, 35, 43, Mein-Microsoft and Oberstein disclose the claimed limitations as rejected above. However, Mein-Microsoft and Oberstein do not specifically mention about modifying the user request prior to sending to the server.

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Lee discloses modifying the user request prior to sending to the server (e.g., paragraph 181).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mein-Microsoft and Oberstein with the teachings of Lee in order to facilitate modifying the user request prior to sending to the server because the modified user request would include modification information that is sent to the server. The server would support processing the user request along with the modification information.

17. As per claims 7, 15, 37, 45, Mein-Microsoft, Oberstein and Lee disclose the claimed limitations as rejected above. Mein-Microsoft also discloses transmitting user request to a database for storage (e.g., col., 5, lines 2 - 12).

18. Claims 8-10, 16-18, 38-40, 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mein-Microsoft, Oberstein and "Official Notice" in view of Grant, 2002/0099738, July 25, 2002 (Hereinafter Grant).

19. As per claims 8, 9, 16, 17, 38, 39, 46 and 47, Mein-Microsoft and Oberstein disclose the claimed limitations as rejected above. However, Mein-Microsoft and Oberstein do not specifically mention about usage of multiple servers and multiple translator boxes.

Grant discloses usage of multiple servers and multiple translator boxes (e.g., paragraphs 9 -13).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mein-Microsoft and Oberstein with the teachings of Grant

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in order to facilitate usage of multiple servers and multiple translator boxes because the multiple servers would enhance supporting multiple user requests. The multiple translator boxes would enhance converting transmitted packets information into necessary protocol information.

20. As per claims 10, 18, 40 and 48, Mein-Microsoft and Oberstein disclose the claimed limitations as rejected above. However, Mein-Microsoft and Oberstein do not specifically mention about usage of appropriate command understood by the element / application.

Grant discloses appropriate command understood by the element / application (e.g., paragraphs 9 –13).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mein-Microsoft and Oberstein with the teachings of Grant in order to facilitate appropriate command understood by the element / application because the appropriate command would enhance supporting instructions to the element / application. The command information would be utilized for configuring the element / application.

21. Claims 19, 20, 26, 27, 49, 50, 56, 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mein-Microsoft, Oberstein and "Official Notice" in view of "Simple Object Access Protocol (SOAP) 1.1", 08, May, 2000, Box et al., pages 1-35, (Hereinafter Box-SOAP).

22. As per claims 19, 20, 26, 27, 49, 50, 56 and 57, Mein-Microsoft and Oberstein disclose the claimed limitations as rejected above. However, Mein-Microsoft and Oberstein do not specifically mention about usage of HTTP-SOAP envelope.

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Box-SOAP discloses usage of HTTP-SOAP envelope (e.g., page 7, lines 5 – 11, page 8, lines 9 –18, page 1, abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mein-Microsoft and Oberstein with the teachings of Box-SOAP in order to facilitate usage of HTTP-SOAP envelope because the HTTP-SOAP envelope would enhance supporting defining framework for expressing the message. The message information would be utilized for configuring the element.

23. Claims 21, 22, 28, 29, 51, 52, 58 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mein-Microsoft, Oberstein, “Official Notice” and Box-SOAP in view of Cunningham et al., 6,219,786 (Hereinafter Cunningham).

24. As per claims 21, 22, 28, 29, 51, 52, 58 and 59, Mein-Microsoft, Oberstein and Box-SOAP disclose the claimed limitations as rejected above. However, Mein-Microsoft, Oberstein and Box-SOAP do not specifically mention about usage of protocol virtual machine.

Cunningham discloses usage of protocol virtual machine (e.g., col., 7, lines 15 – 48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mein-Microsoft, Oberstein and Box-SOAP with the teachings of Cunningham in order to facilitate usage of protocol virtual machine because the protocol virtual machine would enhance supporting piecing information together. The message information would be utilized for configuring the element.



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25. Claims 23, 24, 53, and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mein-Microsoft, Oberstein, "Official Notice", Box-SOAP and Cunningham in view of Forth.

26. As per claims 23, 24, 53 and 54, Mein-Microsoft, Oberstein, Box-SOAP and Cunningham disclose the claimed limitations as rejected above. However, Mein-Microsoft, Oberstein, Box-SOAP and Cunningham do not specifically mention about handling of network element configuration data comprising port and card information.

Forth discloses the handling of network element configuration data comprising port and card information (e.g., paragraphs 58 and 59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mein-Microsoft, Oberstein, Box-SOAP and Cunningham with the teachings of Forth in order to facilitate handling of network element configuration data comprising port and card information because the configuration data would support configuring the network element. The port and card information would provide information on which port and card needs to be configured.

Mein-Microsoft, Oberstein, Box-SOAP, Cunningham and Forth do not specifically mention about handling of slot and shelf information.

"Official Notice" is taken that both the concept and advantages of handling of slot and shelf information is well known and expected in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include handling of slot and shelf information with the teachings of Mein-Microsoft, Oberstein, Box-SOAP, Cunningham and Forth in order to facilitate usage of slot and

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shelf information because the slot and shelf information would provide information on which slot and shelf needs to be configured.

27. Claims 25, 30, 55, 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mein-Microsoft, Oberstein, "Official Notice" and Box-SOAP in view of Lee.

28. As per claims 25, 30, 55 and 60, Mein-Microsoft, Oberstein and Box-SOAP disclose the claimed limitations as rejected above. However, Mein-Microsoft, Oberstein and Box-SOAP do not specifically mention about usage of command understood by the element / application.

Grant discloses command understood by the element / application (e.g., paragraphs 9 – 13).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mein-Microsoft, Oberstein and Box-SOAP with the teachings of Grant in order to facilitate command understood by the element / application because the command would enhance supporting instructions to the element / application. The command information would be utilized for configuring the element / application.

29. Claims 61, 62, 65, 66, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mein-Microsoft, Oberstein, and "Official Notice" in view of Lucovsky et al., 2003/0131073 (Hereinafter Lucovsky).

30. As per claims 61, 62, 65, 66, Mein-Microsoft and Oberstein disclose the claimed limitations as rejected above. However, Mein-Microsoft and Oberstein do not specifically mention about translating of the element / application command into a SOAP packet.

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Lucovsky discloses translating of the element / application command into a SOAP packet (e.g., paragraphs 155 - 157).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mein-Microsoft and Oberstein with the teachings of Lucovsky in order to facilitate translating of the element / application command into a SOAP packet because the command would enhance supporting instructions provided by the element / application. The command information would be utilized for creation of the SOAP packet.

31. Claims 63, 64, 67, 68, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mein-Microsoft, Oberstein, "Official Notice" and Box-SOAP in view of Lucovsky.

32. As per claims 63, 64, 67, 68, Mein-Microsoft, Oberstein and Box-SOAP disclose the claimed limitations as rejected above. However, Mein-Microsoft, Oberstein and Box-SOAP do not specifically mention about translating of the element / application command into a SOAP packet.

Lucovsky discloses translating of the element / application command into a SOAP packet (e.g., paragraphs 155 - 157).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mein-Microsoft, Oberstein and Box-SOAP with the teachings of Lucovsky in order to facilitate translating of the element / application command into a SOAP packet because the command would enhance supporting instructions provided by the element / application. The command information would be utilized for creation of the SOAP packet.

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33. Claims 69, 72 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mein-Microsoft, Oberstein, and “Official Notice” in view of Eanes, U.S. Publication 2003/0005412.

34. As per claims 69, 72 and 75, Mein-Microsoft and Oberstein disclose the claimed limitations as rejected above. However, Mein-Microsoft and Oberstein do not specifically mention about usage of commercial.

Eanes discloses usage of commercial (e.g., paragraphs 12-14).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mein-Microsoft and Oberstein with the teachings of Eanes in order to facilitate transmitting of commercial to the element because the commercial information would be supported by the element.

35. Claims 70, 71, 73 and 74, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mein-Microsoft, Oberstein, “Official Notice” and Eanes in view of Cunningham and Lucovsky.

36. As per claims 70, 71, 73 and 74, Mein-Microsoft, Oberstein, “Official Notice” and Eanes disclose the claimed limitations as rejected above. However, Mein-Microsoft, Oberstein, “Official Notice” and Eanes do not specifically mention about usage of protocol virtual machine.

Cunningham discloses usage of protocol virtual machine (e.g., col., 7, lines 15 – 48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mein-Microsoft, Oberstein and Eanes with the teachings

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of Cunningham in order to facilitate usage of protocol virtual machine because the protocol virtual machine would enhance supporting piecing information together.

Mein-Microsoft, Oberstein, Eanes and Cunningham do not specifically mention about translating a native command generated by the element / application into a HTTP-SOAP packet.

Lucovsky discloses translating a native command generated by the element / application into a HTTP-SOAP packet (e.g., paragraphs 155 - 157).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mein-Microsoft, Oberstein, Eanes and Cunningham with the teachings of Lucovsky in order to facilitate translating a native command generated by the element / application into a HTTP-SOAP packet because the command would enhance supporting instructions provided by the element / application. The command information would be utilized for creation of the SOAP packet.

### ***Conclusion***

37. The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and not relied upon is considered pertinent to applicant's disclosure. For example, Brittenham et al., 2002/0178244, Nov 28, 2002, IBM, discloses the usage of deployment node among servers using HTTP – SOAP, e.g., paragraph 38.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

September 22, 2005

  
JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100